

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for May 24, 2006 PLANNING COMMISSION MEETING

PROJECT #: County Waiver # 06004

PROPOSAL: Waive the provision that no lot shall have a depth in excess of three times the width for proposed lots associated with The Preserve on Cross Creek 2nd Addition, Preliminary Plat # 06001.

LOCATION: Northwest of the corner of S. 68th & Roca Rd.

LAND AREA: 72.85 Acres, more or less

CONCLUSION: This appears to be appropriate due to the lay of the land, the abutting lot under other ownership and the desire of the county to relinquish access to Roca Road.

<u>RECOMMENDATION:</u>

Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 2, Irregular tract in the Southwest Quarter and Lots 12 and 13 in the Southeast Quarter, all in Section 16, T8N, R7E, in the 6th P.M., Lancaster County, Nebraska

EXISTING ZONING: AG Agriculture in the Lancaster County Jurisdiction, AGX in the Roca Jurisdiction (AGR zoning request pending).

EXISTING LAND USE: farm land

SURROUNDING LAND USE AND ZONING:

North: Agriculture and acreage subdivision, zoned AGR and AG
South: Acreages along Roca road, zoned AG. AGR and acreages south and southeast of 68th and Roca Rd.
East: Acreage subdivision, zoned AGR
West: Agriculture, zoned AGX (39 acre lot size) in the Roca Jurisdiction

HISTORY: Change of Zone #06003 and Preliminary Plat # 06001, The Preserve at Cross Creek 2nd Addition, are currently on hold at the Planning Commission to allow this waiver to be processed. The Preserve at Cross Creek 1st Addition to the east (CZ #04023 and PP # 04012) were approved by the County Board in June 2004. The abutting land to the north was

changed from AG to AGR and a Preliminary Plat was approved by the County Board on February 2004. Changed from AA Rural and Public Use to AG Agriculture in the 1979 zoning update.

COMPREHENSIVE PLAN SPECIFICATIONS: The 2025 Plan shows this as Agriculture. This is outside the Lincoln growth Tiers. The 2025 Comprehensive Plan states:

Currently, acreage development has occurred under two development scenarios: AG - Agricultural District (minimum of 20 acres per lot) and AGR - Agricultural Residential District (minimum of 3 acres per lot) with the possibility in both AG and AGR zoning districts of clustering units together in order to preserve more open space and agricultural areas and/or receive additional density bonuses under a community unit development. The complex issue of acreage development and other public objectives requires a large array of land use strategies (pg F 70)

Acknowledge the “Right to Farm” and preserve areas for agricultural productions throughout the county by designating specific areas in advance for rural residential so as to limit areas of potential conflict between farms and acreages (pg F 70)

Retain the current overall density of 32 dwellings per square mile (20 acre) for all agriculturally zoned land. Provide for an ability to divide two 3 acre lots per “40” acre parcel with conditions and administrative review and right of appeal. This would allow more flexibility for parcel size while retaining the overall density and assist in retaining farmable units of land. (F 70)

In determining areas of higher density rural acreage (200 units or more per square mile), numerous factors will be reviewed, such as but not limited to water and rural water districts, soil conditions, roads, agricultural productivity, land parcelization, amount of existing acreages, and plans for urban or town development. Acreages should develop in areas that best reflect the carrying capacity of that area for acreages. A performance criteria should be developed to review requests for acreage zoning and to determine where these standards can best be met. (F 70)

Development of a performance standard “point system” will allow the location of higher density rural acreage development in either “AG” or “AGR” where the review criteria can be met. This allows equal treatment across the county, maximum freedom of determination of marketing and sale, while locating those developments only in those areas where sufficient “points” can be accumulated to justify the development at the requested location.” (F 71)

The Roca Comprehensive Plan shows this as “Rural Use”. Roca AGR zoning to reflect the :Rural Use” designation would require five acre lots. This appears to be in conformance with the Roca Comprehensive Plan.

UTILITIES: This is in the Lancaster Rural Water District. Rural Water or individual wells are proposed. Individual waste disposal is proposed.

TRAFFIC ANALYSIS: This area is served by Roca Rd. and S. 68th Street. Both are paved county roads.

PUBLIC SERVICE: This is in the Hickman Rural Fire District and the Norris School District. This is served by the Lancaster County Sheriffs Department. This is in the Norris Public Power District.

ANALYSIS:

1. Section 4.08 of the County Subdivision Resolution states:

“(d) The minimum width of residential lots shall be fifty (50) feet at the building lines. No lot shall have a depth in excess of three (3) times its width; however, any lot in the "B" or "I" zoning districts which has a minimum width of at least one hundred (100) feet may have a maximum depth of five (5) times its width.”
2. The preliminary plat of The Preserve on Cross Creek 2nd showed this lot arraignment (Lot 6 and Lot 5, Block 1) and can not be approved until this subdivision design standard requirement is modified.
3. The lot under other ownership, adjacent to the west, has chosen not to participate in a realignment of the lot lines. The drainage way, depth of the property and relinquishment of access to Roca Road support this waiver/modification of the subdivision design standard.

Prepared by:

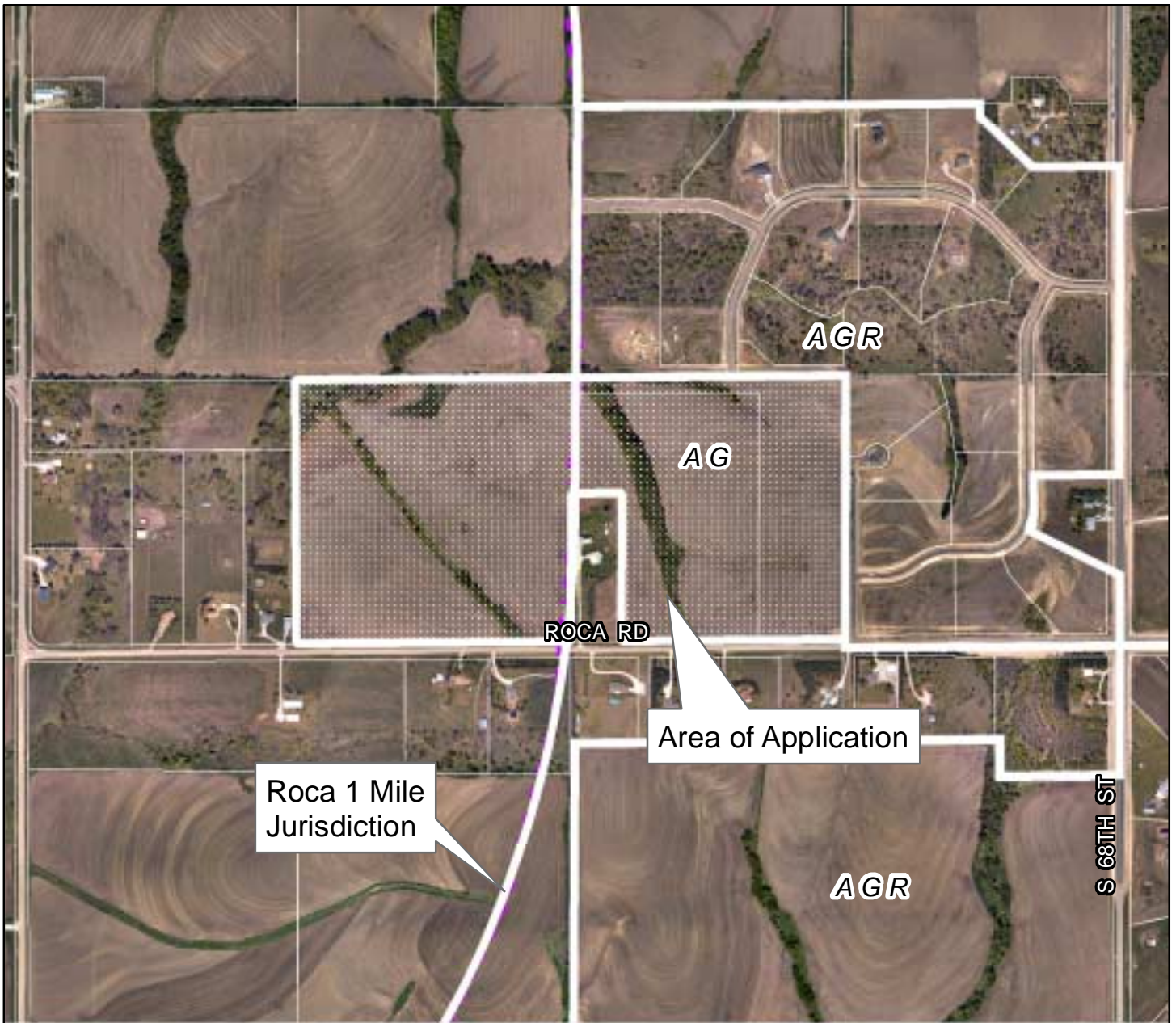
Mike DeKalb, 441-6370, mdekalb@ci.lincoln.ne.us
Planner

May 4, 2006

APPLICANT: Builders Achieving Excellence
1901 S.W. 5th Street, Suite 100
Lincoln, NE 68522
(402) 435-3550

OWNER: Land II. L.L.C.
1901 SW 5th Street, Suite 100
Lincoln, NE 68502
(402) 435-3550

CONTACT: Mike Eckert
Civil Design Group, Inc
3901 Normal Blvd, Suite 203
Lincoln, NE 68506



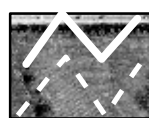
Waiver #06004 S 64th St & Roca Rd

2005 aerial

Zoning:

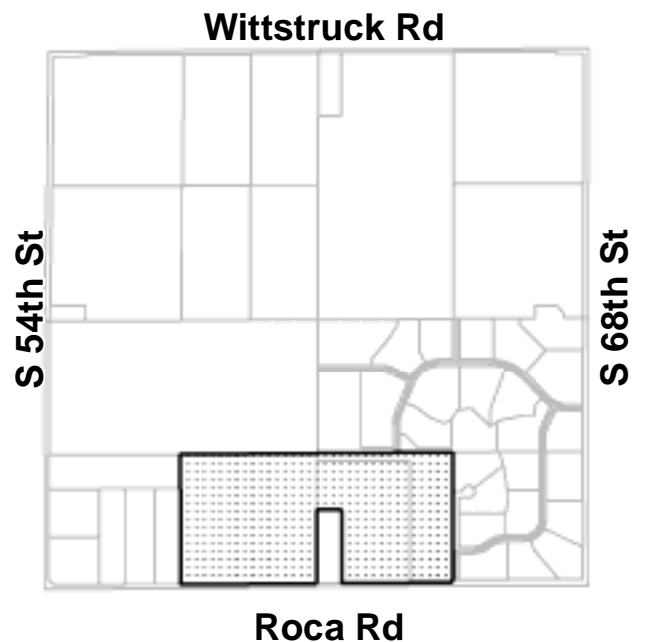
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 16 T08N R7E



Zoning Jurisdiction Lines

City Limit Jurisdiction



**Change of Zone #06003 & Preliminary Plat #06001
The Preserve on Cross Creek 2nd Addition
S 58th St & Roca Rd**



ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

[illegible]

MARRIAGE CERTIFICATE

1. I HEREBY CERTIFY THAT THE SIGNATURE, NAME AND TITLE OF THE PERSONS WHOSE NAMES ARE SET FORTH IN THE SIGNATURE AND TITLE

References

- [illegible]

APPROVAL

THE FOREGOING PRELIMINARY PLAN WAS APPROVED BY THE LINCOLN CITY -
LANDMARK COMBITY PLANNING COMMISSION ON THE _____ DAY OF _____

DATE: _____

BY: _____

20442

BY THE COURT OF APPEALS - CIVIL DIVISION
JULY 17, 1964

PROJECT AREA: 

THEY PLAY A NUMBER OF TIMES DOW
IN THE MIDDLE OF EACH PLANNED -

VERITY HAS

DEVELOPER _____
PLACING PERSONS RESPONSIBLE _____

1981 E. 34th STREET, SUITE 100
LINCOLN, NE 68502
402-439-3800

CHANGES OF RECORD:
 1500 10-1-68
 1500 10-1-68

CURVE DATA:

(A) - [redacted]
- [redacted]
- [redacted]
- [redacted]

- [redacted]
[redacted] B. CHAMBERS & ASSOCIATES
801 OLD COUNTRY ROAD, SUITE 7

⑦ = $\frac{1}{2} \left(\frac{1}{\sqrt{2}} + \frac{1}{\sqrt{2}} \right)$

DATE: 1/1/84
BY: J. L. GORDON
SUBJECT: J. L. GORDON/PLANNING
RE: J. L. GORDON/PLANNING

⑥ $\eta = \frac{1}{2} \frac{1}{\rho} \frac{d\rho}{dt}$

9 = 22.5% 10 = 22.5% 11 = 22.5% 12 = 22.5%

**BRIAN D.
CARSTENS
& ASSOCIATES**

**LAND USE PLANNING
RESIDENTIAL
& COMMERCIAL
DESIGN**

601 OLD COUNTRY ROAD
SUITE C
LINCOLN, NE 68512

PHONE (802) 434-3434
FAX (802) 434-0487
©2000 CALIFONE, Inc.

**THE
PRESERVE
AT CROSS
CREEK
SECOND
ADDITION**

COUNTY
PRELIMINARY
PLAT

AND

COUNTY
- CHANGE OF

CHANGE OF
ZONE
●

S. 64TH &
BOCA ROAD
LINCOLN, NE

SITE PLAN

SCALE: 1"=100'

FOIA b 7 - D
DISCLOSURE
REVIEWED

10



BRIAN D. CARSTENS & ASSOCIATES

LAND USE PLANNING
RESIDENTIAL & COMMERCIAL DESIGN

401 OLD CHERRY ROAD
SUITE C
LINCOLN, NE 68512

PHONE (402) 434-2634
FAX (402) 434-2447
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THE PRESERVE AT CROSS CREEK SECOND ADDITION

PRELIMINARY PLAT

AND

CHANGE OF ZONE

S. 64TH & ROCA ROAD

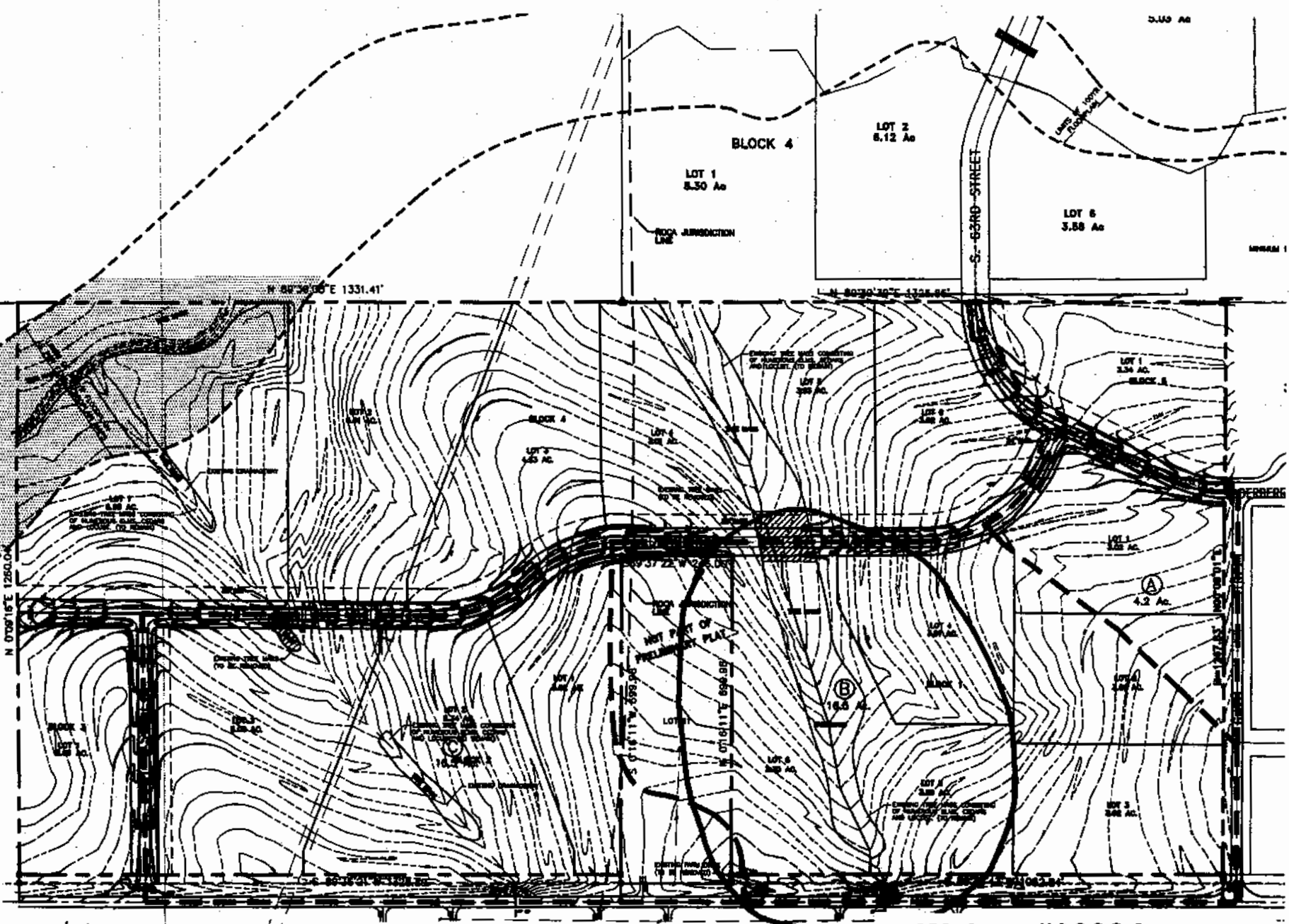
LINCOLN, NE

GRADING PLAN



SCALE: 1"=80'

PROJECT #06002
DATE: 05/05/05



161

Change of Zone #06003 & Preliminary Plat #06001
The Preserve on Cross Creek 2nd Addition
S 58th St & Roca Rd

Waiver #06004
S 64th St & Roca Rd

Lancaster

County

Engineering

Department

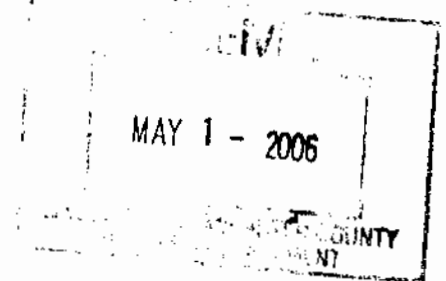
DON R. THOMAS - COUNTY ENGINEER

DEPUTY- **LARRY V. WORRELL**
COUNTY SURVEYOR

DATE: April 28, 2006
TO: Mike DeKalb
Planning Department

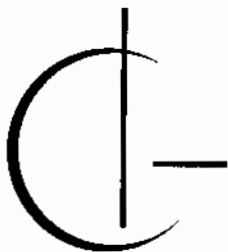
FROM: Larry V. Worrell
County Surveyor

SUBJECT: WAIVER FOR THE PRESERVE AT CROSS CREEK 2ND ADDITION
NO. WVR06004



Upon review, this office has no direct objections to this submittal.

LVW/bml



Civil Design Group, Inc.

Consulting Engineers & Land Use Planners
Civil Design • Site Development • Planning & Zoning

April 24, 2006

Mr. Marvin Krout,
Director of Planning
City of Lincoln/ Lancaster County
555 South 10th Street
Lincoln, NE 68508

Re: THE PRESERVE AT CROSS CREEK SECOND ADDITION
ADDITIONAL WAIVER- WIDTH TO DEPTH RATIO
S. 64TH & ROCA ROAD
CDG Project No. 2006-0013

Dear Marvin:

On behalf of Land II, L.L.C., we are requesting an additional waiver in conjunction with the previously submitted Preliminary Plat and Change of Zone. We are requesting that this item along with the Preliminary Plat and Change of Zone all be placed on the same Planning Commission. Please notify us when the public hearing is set, so that we may attend.

In an effort to facilitate the review process, please feel free to call me at (402) 434-8494 so that I can address any questions you may have.

Sincerely,

Mike Eckert, AICP

jds

cc: Builders Achieving Excellence

